

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

HARRY G. and JACQUELINE)
SCHORTMANN,)
)
 Plaintiffs,)
)
)
 v.) Civil No. 04-11011-MLW
)
)
INTERNAL REVENUE SERVICE OF)
THE UNITED STATES GOVERNMENT,)
)
)
 Defendant.)

UNITED STATES' REQUEST FOR LEAVE TO FILE RESPONSE TO
PLAINTIFFS' OPPOSITION TO UNITED STATES' MOTION TO DISMISS

Pursuant to Local Rule 7.1(b)(3), the United States requests leave to file a response to plaintiffs' opposition to the United States' motion to dismiss or transfer this proceeding. In their opposition, the plaintiffs assert that counsel for the United States failed to comply with the requirements of Local Rule 7.1(a)(2). Plaintiffs' opposition appears to be based on a misunderstanding of the Local Rule, and, therefore, misrepresents the events occurring prior to the making of the motion. The United States should be allowed to respond to plaintiffs' opposition to clarify the record.

Attached please find the United States' response.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

BARBARA HEALY SMITH
Assistant United States Attorney

/s/ Lydia Bottome Turanchik
LYDIA BOTTOME TURANCHIK
Trial Attorney, Tax Division
U.S. Department of Justice
Post Office Box 55
Ben Franklin Station
Washington, D.C. 20044
Telephone: (202) 307-6560
Lydia.D.Bottome@usdoj.gov